

**Record of Proceedings  
Village of Peninsula Council  
REGULAR SESSION**

**DRAFT**

Held: December 10, 2018

**CALL TO ORDER:** The Village of Peninsula Council convened from 7:00 p.m. to 9:49 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer called the meeting to order and initiated the roll call, followed by the Pledge of Allegiance. The following members were present.

**COUNCILMEMBERS:**

Michael Matusz	PRESENT	Mayor Douglas Mayer	PRESENT
Mary Booth	ABSENT	Chris Weigand	ABSENT
Michael J. Kaplan	PRESENT	Daniel Schneider	PRESENT
Diane Holody	PRESENT		

**OTHERS PRESENT:**

Fiscal Officer Deborah Wordell, Administrative Assistant Marty Kuboff, and Solicitor Brad Bryan

**CITIZENS' PARTICIPATION:**

Bill Clifton expressed his concerns about waiting for a Traffic Engineer to conduct studies before taking certain actions. He stated some of the safety issues can be addressed right away, such as the installation of signage on Rt. 271 and Rt. 8 regarding the preferred truck routes, the flashing speed limits signs, and table-top cross walks at Riverview Road and between Fisher's and the Winking Lizard restaurants. Mr. Clifton thanked Ms. Holody for her efforts.

Barb Kaplan informed Council and residents about Ohio HB393 "To enact section 1509.228 of the Revised Code to establish conditions and requirements for the sale of brine from certain oil or gas operations as a commodity and to exempt such a commodity from requirements otherwise applicable to brine." This bill was passed by the Ohio House of Representatives on December 6, 2018 and was introduced in the Senate on December 10, 2018. She encouraged everyone to contact their State Senator and State Representative to express their opposition to this legislation.

Mr. Kaplan made a motion for the Mayor, on behalf of the Village, to contact State Senator Frank LaRose and House Representatives Marilyn Slaby and Kristina Roegner within the next two days to express the Village's opposition to this legislation. The motion was seconded by Mr. Matusz.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

**COUNCIL PARTICIPATION:**

Mr. Kaplan spoke about the Village Award for Lifetime Service. He suggested Patty Tesmer for her years of service on the Cemetery Board and being the heart and soul of the Memorial Day Activities. Ms. Holody suggested Honored Veteran Jack Mercer for his military service and many years of dedicated service to the Woodridge Schools as Cross Country and Track Coach.

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Mr. Kaplan made a motion to Honor Patty Tesmer and Jack Mercer for the Village Award for Lifetime Service for 2018 that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

**MAYOR'S REPORT:**

Mayor Mayer welcomed Interim Fiscal Officer Deborah Wordell and announced Mike Andexler as the new full-time employee in the Service Department. The Mayor informed Council that Charles E. Harris & Associates will conduct a review on Thursday December 13<sup>th</sup> at 1:00 p.m. on the findings from the Financial Audit for the years ending December 31, 2016 and December 31, 2017. All Council Members are invited to attend. Mayor Mayer asked Council if it was going to proceed with a holiday bonus to the Village employees as has been done in the past. Ms. Holody made a motion that was seconded by Mr. Matusz to authorize a holiday bonus to be paid in December 2018 to the current employees of the Village. Full-time Employees shall receive \$125 and Part-Time and Auxiliary Employees shall receive \$65.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, abstain; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

**SOLICITOR'S REPORT:**

Mr. Bryan informed Council of the Summit County 2019 Road Project Program and stated Council should be thinking about road projects it wants included in this year's program. The Mayor stated there is another program in Summit County from which the Village could receive grant money for a joint project with Boston Township.

**FISCAL OFFICER'S REPORT:**

Ms. Wordell thanked the Mayor and Council for the opportunity to come to Peninsula and undertake the challenges in the Fiscal Office. Ms. Wordell stated her main goals are to restructure the Fiscal Office, analyze what the procedures were in the Fiscal Office, and establish better procedures to maintain the everyday operations. Ms. Wordell stated the payroll operations are very good and the bills have been paid in a timely manner. She found that sales tax has been paid on certain bills that has cost the Village hundreds of dollars. Ms. Wordell is focusing on the 2019 Temporary Budget and reallocating fund balances to correct accounts. The Village should follow the records retention schedule for maintaining and disposing of Finance Department electronic and hard copy records and obtain W-9 forms from all vendors. Work is needed on the payment approval process for recurring invoices, blanket purchase orders, regular purchase orders, and the credit card policy. Ms. Wordell stated she will have more information after the audit review meeting with Charles E. Harris & Associates. After that audit meeting, Council will need to schedule a Special Council Meeting to adopt the temporary budget. Auditors also recommended a two signature process for signing checks.

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**Approval of the Minutes for the November 13, 2018 Regular Council Meeting and November 29, 2018 Special Council Meeting.**

Ms. Holody made a motion to approve the November 13, 2018 Regular Council Meeting Minutes that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, abstain; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

Mr. Kaplan made a motion to approve the November 29, 2018 Special Council Meeting Minutes that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, abstain; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

**FINANCE LIAISON, MS. HOLODY:**

Ms. Holody made a motion to approve the November 2018 Financial Reports that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

Ms. Holody made a motion to approve the list of Payment of Bills that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

**POLICE LIAISON, MR. SCHNEIDER:** Mr. Schneider presented a quote he received from the Police Chief for blank traffic citations for approval.

Mr. Schneider made a motion that was seconded by Mr. Kaplan to purchase blank traffic citations from Clark & Associates of North Olmsted, Ohio in an amount not to exceed \$1,395.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

**ROADS AND PUBLIC WORKS LIAISON, MR. MATUSZ:**

Mr. Matusz reported the interviews for the positions in the Service Department went very well, and the Mayor and Dan Schneider did a great job during the interview process.

Mr. Matusz made a motion to authorize the hiring of a seasonal worker at the pay rate of \$15.00 per hour instead of a part-time worker. That motion was seconded by Mr. Kaplan.

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Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

Mr. Matusz stated the Village will now have two great people working in the Service Department and pointed out that Mike Andexler will need to obtain a Class A CDL to pull the leaf machine.

Mr. Matusz made a motion that was seconded by Mr. Kaplan to reimburse Mike Andexler for materials and course work once a Class A CDL has been successfully obtained in an amount not to exceed \$500.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

Mr. Matusz presented a quote from Richard Bissell of Twinsburg, Ohio in the amount of \$755 to repair the ruts in the north to south section of Bishop Lane. A discussion took place as to whether Bishop Lane is a private driveway or is owned by the Village, whether three bids should be obtained before going forward, and whether there is an agreement on the part of the Village to perform limited improvements to maintain the road. The Mayor stated the Village can perform a temporary fix for the winter. The Solicitor was asked to investigate the situation with Bishop Lane, whether the Village is responsible for maintaining it, and if so, to what extent.

The Chief of Police received quotes for flashing speed signs. The Mayor stated he will have the Chief send the quotes to Council. Proposed locations of signs were discussed.

A discussion occurred about proposed ODOT signage on Rt. 271 and Rt. 8 directing truck traffic to reroute to the Macedonia Interchange and a letter to trucking companies asking them to avoid RT. 303 through Peninsula. The Mayor stated the Police Department was concerned about the residents' expectations about the Department enforcing no truck cut through traffic when the Police Department has no legal authority to do so. Mayor Mayer called ODOT and requested the sign installation be placed on hold until further notice from his office.

**PLANNING COMMISSION, MR WEIGAND:**

Mr. Bryan gave the report on behalf of Mr. Weigand. The Planning Commission met on November 26<sup>th</sup> for its regular monthly meeting. The Commission continued its discussions regarding traffic flow, truck traffic on Route 303, and parking in the Village. The Commission believes the best plan of action is to engage the services of a professional traffic engineer to provide insight and expertise regarding pedestrian and vehicular traffic flow in the Village and assist the Village with implementing a comprehensive traffic management plan. At the Commission's request, the Village Solicitor drafted and issued a Request for Statements of Qualifications from traffic engineers.

As part of the Long-Range Plan, the Planning Commission is also working on proposed historic and conservation overlay ordinances. At the Commission's request, the Village's consultant drafted both overlay ordinances. An in depth discussion regarding the conservation

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overlay took place at both Planning Commission meetings in November. Because Council will ultimately have to approve the overlay for it to be enacted, the Commission would like to request a Special Council meeting on January 17, 2019 with the Planning Commission and Aislinn Consulting. The purpose of the meeting would be to allow Council to review the conservation overlay ordinance and ask Ms. McMahon any questions it may have. Draft copies of the overlay ordinances are available on the Village website or by contacting Village Hall.

The draft update of the Long-Range Plan is almost complete. The Commission expects to have the draft ready for public review in early 2019. The Commission will then work on drafting any proposed zoning updates necessary to bring the zoning code in line with the Long-Range Plan.

**WASTEWATER:** No Report. A discussion took place about the Summit County Health Department storm water testing in the Village. Ms. Holody suggested an invitation should be extended to Tonia Burford, Environmental Health Director for Summit County to come to a Council Meeting to discuss the results of the storm water testing when completed.

**ZONING:** Mayor Mayer reported one person submitted an application for the Zoning Officer position.

**BOARD OF ZONING APPEALS:** Mayor Mayer reported no meeting took place last month.

**BUILDING AND GROUNDS, MS. BOOTH:** No Report.

**CHAMBER OF COMMERCE, MR. WEIGAND:** Mr. Bryan gave the report on behalf of Mr. Weigand. On November 30, Chamber members Karen Walters and Chris Weigand met with representatives from the National Park and West Creek Conservancy to discuss plans for the 2019 Cuyahoga River Celebrations. 2019 marks the 50<sup>th</sup> anniversary since the Cuyahoga River last burned. Communities from Geauga County to downtown Cleveland are celebrating the river's revival between June 19<sup>th</sup> and 23<sup>rd</sup>. There are a variety of art, music, culinary, and theater events and activities planned for that weekend, as well as throughout 2019. The Chamber will be working directly with the organizers to include our community in the festivities. A ceremonial torch is scheduled to pass through Peninsula on Friday June 21. The Chamber is looking at Saturday, June 22 for celebrating the anniversary here in Peninsula.

In related news, the Chamber of Commerce has provided a letter of support to the Cuyahoga River Water Trail organization as it submits its application to become an official Ohio Water Trail. This designation will increase public access along the Cuyahoga River for all people, share resources to create better and safer experiences for visitors, promote the health and beauty of the Cuyahoga River, and increase economic opportunities for communities. The Chamber encourages Council to pass the Cuyahoga River Water Trail Resolution before it and join other local communities including Akron, Cuyahoga Falls, Kent, Mantua, and Silver Lake in support of our river. The Cuyahoga River Water Trail is hosting a public open house December 12 from 5p.m. through 7 p.m. at Happy Days Lodge. Area residents, businesses, and leaders are encouraged to attend and learn more about this organization and initiative.

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**POLICIES AND PROCEDURES, MR. KAPLAN:** No Report.

**FIRE BOARD, MR. SCHNEIDER:** Mr. Schneider reported the selection of two Second Lieutenants. Craig Mulidore and Nick Sebastian will split the duties.

**CEMETERY BOARD, MR SCHNEIDER:** Mr. Schneider reported he would like to be reappointed to the Board. Mr. Kaplan made a motion that was seconded by Mr. Matusz to reappoint Dan Schneider as the Village Council Representative to the Cemetery Board and appoint Jerry Ritch as the Village resident to the Cemetery Board.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

Mayor Mayer stated he would like to thank Patty Tesmer for her many years of dedication to the Cemetery Board and her two terms on Council.

**JEDD, MR. SCHNEIDER:** Mr. Schneider stated there will be a meeting scheduled after the first of year.

**LEGISLATION:**

**Third Reading:** None.

**Second Reading:**

**Resolution No. 31-2018**

**Requested by Councilpersons Daniel Schneider and Mike Matusz**

**A Resolution Authorizing the Mayor to Execute an Agreement with Boston Township for the Purchase of Road Salt**

The Resolution was read by title by the Solicitor. The Resolution will advance to a third reading at the next Council Meeting.

**Resolution No. 32-2018**

**Requested by Mayor Mayer**

**A Resolution Authorizing the Mayor to Renew the Village's Employee Health Insurance Agreement with NFP Corporate Services through the Summit County Health Connection for the 2019 Calendar Year**

The Resolution was read by title by the Solicitor. The Resolution will advance to a third reading at the next Council Meeting.

**Resolution No. 33-2018**

**Requested by Fiscal Officer Stiegel and Councilperson Holody**

**A Resolution to Make Temporary Appropriations for Current Expenses and Other Expenditures of the Village for the Period from January 1, 2019 through March 31, 2019**

The Resolution was read by title by the Solicitor. The Resolution will advance to a third reading at the next Council Meeting.

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**Resolution No. 34-2018**

**Requested by Councilpersons Booth, Holody, and Weigand**

**A Resolution of the Village of Peninsula Supporting the Establishment of the Cuyahoga River Water Trail by the Ohio Department of Natural Resources**

The Resolution was read by title by the Solicitor. The Resolution will advance to a third reading at the next Council Meeting.

**First Reading:**

**Resolution No. 35-2018**

**Requested by Mayor Mayer**

**A Resolution Authorizing the Mayor and Fiscal Officer to Renew the Village's Agreement with the Legal Defender's Office of Summit County, Ohio for Indigent Representation in the Stow Municipal Court**

The Resolution was read by title by the Solicitor. The Resolution will advance to a second reading at the next Council Meeting.

**Resolution No. 36-2018**

**Requested by Mayor Mayer**

**A Resolution Amending the Employee Pat Scale**

The Resolution was read by title by the Solicitor. The Resolution will advance to a second reading at the next Council Meeting.

**Resolution No. 34-2018**

**Requested by Chief Varga and Councilperson Schneider**

**A Resolution Authorizing the Mayor to Renew the Village's User Agreement for the Summit County-Akron Regional Radio System**

The Resolution was read by title by the Solicitor. The Resolution will advance to a second reading at the next Council Meeting.

**OLD BUSINESS:** A discussion took place about the 2019 Council Meeting schedule. Mr. Kaplan made a motion that was seconded by Mr. Matusz to move the October and November 2019 scheduled Council meetings from second Tuesday to second Monday of October and November 2019.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Schneider, yes. The motion was adopted.

A discussion was held on the follow up of the Akron Peninsula Road washout in 2017. Council was informed that Kurt Sheely removed all projecting rebar from the concrete slabs along the river bank and was paid \$600 for that work by the Village. Council should continue to work with the National Park and Army Corps of Engineers on the ongoing changes of the flow of the Cuyahoga River. Council should reestablish a liaison with the National Park, since they are the largest land owner in Peninsula. An invite will be extended to Chris Davis of the National Park in the first quarter of 2019 to discuss the National Park's efforts to restore the flood plain

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along the Cuyahoga River. Ms. Holody provided information on the Cuyahoga River Water Trail Open House hosted by the National Park to be held on December 12<sup>th</sup> at Happy Days Lodge. The open house is to discuss a water trail along the Cuyahoga River in Cuyahoga Valley National Park with the goal to create a water trail by June 2019 for the 50th Anniversary of the last burning of the river.

**NEW BUSINESS:** Mayor Mayer reported that Boston Township wants to enter into a Mutual Aid Agreement as needed. For the purpose of mutual aid, each Party would be responsible for its own employees and equipment. Solicitor Bryan will review the proposed agreement with the Village's Insurance agent.

**ADJOURNMENT:** A motion to adjourn was made by Mr. Kaplan and seconded by Mr. Schneider. All were in favor of the motion; none were opposed. The meeting was adjourned at 9:49 p.m.

Respectfully submitted:

Douglas G. Mayer, Mayor

Date

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